

Message Text

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44

ACTION AF-18

INFO OCT-01 EUR-25 IO-13 ADP-00 CIAE-00 DODE-00 PM-07 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 EB-11 COME-00 TRSE-00 OMB-01 STR-08 RSR-01

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R 091714Z JUL 73

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 2467

INFO AMEMBASSY PRETORIA

USMISSION USUN NEW YORK

C O N F I D E N T I A L LONDON 07861

E.O. 11652: XGDS-1

TAGS: ETRD, PFOR, RH, UN, US

SUBJECT: RHODESIAN SANCTIONS

REF: (A) STATE 126618 (NOTAL); (B) STATE 126709

1. WE SPOKE WITH OFFICERS OF RHODESIAN DEPT FCO
CONCERNING QUESTIONS RAISED IN REFTELS. BRITISH POSITION
AS EXPLAINED TO US IS AS FOLLOWS.

2. THERE HAS BEEN NO CHANGE IN INTERPRETATION OF UNSC
RESOLUTION 253 (1968) PARA 3 (B). SOUTHERN RHODESIA
ORDER NO. 2 COVERING UNITED NATIONS SANCTIONS PROMUL-
GATED BY HMG IN 1968 CONTAINS LANGUAGE PROHIBITING ANY
ACTION CALCULATED TO PROMOTE EXPORTS FROM SOUTHERN
RHODESIA -- ARTICLE 3(L)C; AND ANY ACT CALCULATED TO
PROMOTE THE SUPPLY OR DELIVERY OF ANY GOODS TO SOUTHERN
RHODESIA -- ARTICLE 5(L)C. IN PRACTICE BRITISH FIRMS
HAVE NOT WISHED TO TEST THESE PROVISIONS OF THE ORDER AND
THERE HAS BEEN NO INSTANCE WHEN A COURT HAS BEEN CALLED
UPON TO MAKE A RULING AS TO WHAT WOULD CONSTITUTE
"PROMOTION" OF TRADE WITH SOUTHERN RHODESIA. MOST
SANCTIONS VIOLATIONS HAVE BEEN, IN FACT, PROSECUTED UNDER
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OTHER LAWS RELATING TO THE EXCHANGE CONTROL ACTS, VIOLA-

TION OF WHICH CARRY HEAVIER PENALTIES THAN PROVIDED FOR IN THE SR SANCTIONS ORDER. THERE HAVE BEEN NO INSTANCES IN WHICH BRITISH PUBLICATIONS HAVE RUN ADVERTISEMENTS CALCULATED TO ATTRACT TRADE OR INVESTMENT IN SOUTHERN RHODESIA.

3. AS REGARDS HUMANITARIAN EXCEPTIONS TO SR SANCTIONS, HMG HAS MODIFIED ITS EXCHANGE CONTROL ACTS TO PERMIT REMITTANCES TO VARIOUS CATEGORIES OF PEOPLE LIVING IN RHODESIA INCLUDING ELDERLY, SICK, MISSIONARIES AND RHODESIAN DEPENDENTS OF PERSONS NOW LIVING IN UK WHERE FAILURE TO PROVIDE SUPPORT WOULD CREATE A HARDSHIP. FUNDS MAY ALSO BE TRANSMITTED UNDER CERTAIN CIRCUMSTANCES FOR THE BENEFIT OF EDUCATIONAL OR MISSIONARY ACTIVITIES. THESE MODIFICATIONS WERE REPORTED IN LONDON TEL 10843 DATED 11/10/72. IN ADDITION, THERE ARE SOME UK RESIDENTS WHO ARE ENTITLED TO PENSIONS AS A RESULT OF HAVING WORKED IN RHODESIA. THESE PENSIONS ARE PAID FROM BLOCKED ACCOUNTS OF THE RHODESIAN GOVT IN THE UK. REMITTANCES TO PENSIONERS LIVING IN RHODESIA WHO EARNED THEIR PENSIONS IN THE UK CAN BE MADE BY COMMERCIAL BANK TRANSFERS IN CONVERTIBLE CURRENCIES OR CAN BE PAID DIRECTLY TO THE PENSIONERS BY THE RHODESIAN GOVT WITH EQUIVALENT CREDIT BEING TRANSFERRED TO RHODESIAN BLOCKED ACCOUNTS IN THE UK.

4. THERE ARE NO RHODESIAN REPRESENTATIVES IN THE UK EXCEPT FOR A SMALL PENSIONS OFFICE HANDLING THE ACCOUNTS OF RHODESIAN PENSIONERS IN THE UK.

5. WE ARE POUCHING COPY OF 1968 ORDER REFERRED TO ABOVE IN CASE THE DEPT DOES NOT HAVE ONE AT HAND. WE ARE ALSO POUCHING COPY OF INFORMATION PROVIDED TO BRITISH PARLIAMENT BY SIR ALEC DOUGLAS-HOME ON NOVEMBER 9, 1972 REGARDING HUMANITARIAN EXCEPTIONS TO THE SANCTIONS ORDER.

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